Single Bench (B)

IN THE HIGH COURT OF CHHATTISGARH
AT BILASPUR

WRIT PETITION(S) No. 6094 **/2006**

PETITIONERS :1) Nemichand Agrawal S/o. Shri Ramlal Agrawal, aged about 41 years, Occupation- Govt. Servant (Assistant Teacher, Govt. Primary School, Mudmar, Block and District Mahasamund, R/o.Ward No.2 , Near Ganesh Atta Chakki, Imlibhatha, Mahasamund, District Mahasamund (C.G.)

P.R. No. 5970/06
Presented by Shri Guna Patel
dated 30-10-06
3:20 p.m.

:2) Vyenkateshwar Rao, S/o. Shri Appa Rao, aged about 43 years, Occupation- Govt. Servant (Assistant Teacher, Govt. Primary School, Labhrakhurd, Block and District Mahasamund) R/o. Ayodhya Nagar, Mahasamund, Distt. Mahasamund (C.G)

:3) Hari Ram Sahu, S/o. Shri Kartik Ram Sahu, aged about 39 years, Occupation- Govt. Servant (Assistant Teacher, Govt. Primary School, Jhal Khamhriya, Block and District Mahasamund) R/o. Ward No.18, Near Maya Bhavan, Kumharpara, Mahasamund, Distt.Mahasamund (CG)

RECEIVED-COPY
30/10/06
CLERK to A. G. BILASPUR

:4) Pawan Kumar Chandrakar, S/o. Shri Rekh Lal Chandrakar, aged about 43 years, Occupation- Govt. Servant (Assistant Teacher, Govt. Primary School, Ghodari, Block and District Mahasamund) R/o. Ayodhya Nagar, Mahasamund, Distt Mahasamund (C.G.)

:5) Smt. Shiv Mishra, W/o. Shri Rajendra Prasad Mishra, aged about 45 years, Occupation- Govt. Servant (Assistant Teacher, Govt. Primary School, Ghodari, Block and District Mahasamund) R/o. Ayodhya Nagar, Mahasamund, District Mahasamund (C.G.)

:6) Puranik Lal Dadsena, S/o. Shri Ramji Dadsena, aged about 42 years, Occupation- Govt. Servant (Assistant Teacher, Govt. Primary School, Paterapali, Block and District Mahasamund, R/o. Paterapali, District Mahasamund (C.G.)

7) Ghansi Ram Kanwar, S/o. Shri Jhadi ram Kanwar, aged about 44 years, Occupation- Govt. Servant (Upper Division Teacher, Govt. Middle School, Bemcha, Block and

District Mahasamund, R/o. Ayodhya Nagar, Mahasamund, District Mahasamund (C.G.)

8) Rejendra Kumar Ingole, S/o. Shri Khande Rao aged about 43 years, Occupation- Govt. Servant (Assistant Teacher, Govt. Middle School, Bemcha, Block and District Mahasamund, R/o. Vardhaman Nagar, Bemcha Mahasamund, District Mahasamund (C.G.)

9) Ashok Kumar Sahu, S/o. Late Lakhan Lal Sahu aged about 28 years, Occupation- Govt. Servant (Assistant Teacher, Govt. Primary School, Keshwa, Block and District Mahasamund, R/o. Village Boriyajhar, Post Khatti, District Mahasamund (C.G.)

10) Krishna Kumar Chandrakar, S/o. Shri Punit Ram Chandrakar, aged about 41 years, Occupation- Govt. Servant (Assistant Teacher, Govt. Middle School, Bakma Block and District Mahasamund, R/o. Kharora, District Mahasamund (C.G.)

11) Roshan Lakra, S/o. Shri B. Lakra, aged about 30 years, Occupation-

Govt. Servant (Assistant Teacher, Govt. Primary School, Mudpar, Block and District Mahasamund, R/o. Daldali Road, Ward No.8 Mahasamund, District Mahasamund (C.G.)

12) Smt. Seema Ingole, W/o. Shri Rajendra Ingole, aged about 40 years, Occupation- Govt. Servant (Assistant Teacher, Govt. Primary School (Girls) Bemcha, Block and District Mahasamund, R/o. Vardhaman Nagar, Bemcha, District Mahasamund (C.G.)

13) Smt. Tripti Dayniel, W/o. Shri Dinesh Dayniel, aged about 40 years, Occupation- Govt. Servant (Assistant Teacher, Govt. Primary School (Girls) Bemcha, Block and District Mahasamund, R/o. Imalibhatha, Ward No.23 Mahasamund, District Mahasamund (C.G.)

VERSUS

RESPONDENTS :1) State of Chhattisgarh, Through Secretary, Department of School Education, DKS Bhawan, Mantralaya, Raipur (C.G.)

:2) District Education Officer,
Mahasamund (C.G.)

:3) Block Education Officer,
Mahasamund, District
Mahasamund (C.G.)

WRIT PETIION UNDER ARTICLES 226/227
OF THE CONSTITUTION OF INDIA

(35)

HIGH COURT OF CHHATTISGARH AT BILASPUR

SINGLE BENCH : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION (S.) NO.6094 OF 2006

Petitioners : Nemichand Agrawal and others

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.4152 OF 2006

Petitioner : Shiv Prasad Markam,

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.4245 OF 2006

Petitioner : Smt. Madhu Sharma

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.4550 OF 2006

Petitioner : Smt. Amrika Sahu

Versus

Respondents : State of Chhattisgarh and others

(36)

WRIT PETITION (S.) NO.4586 OF 2006

Petitioner : Bihendra Kumar Sahu

versus

Respondents : State of Chhattisgarh and others

Present : Mrs. Hamida Siddique with Mr. Mahfooj Alam, counsel for the petitioner(s).
Mrs. Anju Ahuja, Deputy Government Advocate for the State/respondents.

ORDER

(Passed on 23rd Day of January, 2007)

Learned counsel appearing for the parties jointly submit that the facts and question of law involved in the present batch of writ petitions are squarely covered by the decision of this Court in the case of ***Yashwant Kumar Bharadwaj*** vs. ***Municipal Corporation, Durg and another***[1] .

2. In subsequent cases, i.e., Writ Petition (S.) No.4130 of 2005 (***Gopesh Kumar Verma*** vs. ***The State Govt. of Chhattisgarh and another***) and other connected matters, decided by this Court on 15-12-2006, pursuant to the memo dated 28-1-1995, issued by the Secretary, Board of Secondary Education, Bhopal and the prospectus of Diploma in Education Examination, it was clarified that the nomenclature of the Basic Training Institute, i.e., B.T.I. has been changed and renamed as Diploma in Education, i.e., D.Ed.

(39)

Accordingly, the D.Ed. Certificate holders are also covered by the decision in Writ Petition (S.) No.4130 of 2005 (*Gopesh Kumar Verma* vs. *The State Govt. of Chhattisgarh and another*) (Supra).

3. For the aforementioned reasons, the writ petitions are disposed of in terms of the decision of this Court in the matter of *Yashwant Kumar Bharadwaj* (Supra), subject to verification of the fact as to whether the petitioners have acquired D.Ed. Certificate at their own expenses as per the circulars dated 24-12-1998 and 1-3-1999 and further whether they have been paid two advance increments or not. No order as to costs.

4. A copy of this order be placed on the record of the connected writ petitions.

Sd/-
Satish K. Agnihotri
Judge

---

1 2006 (II) MPJR-CG 96

Gopal